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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 06-0380 SI
)	
Plaintiff,)	[PROPOSED] ORDER AND
)	STIPULATION EXCLUDING TIME
v.)	FROM THE SPEEDY TRIAL ACT
)	CALCULATION
OMAR WARD,)	(18 U.S.C. § 3161 (h)(8)(A))
)	
Defendant.)	
_____)	

The parties stipulate and agree, and the Court finds and holds, as follows:

1. The parties appeared on the instant matter July 13, 2006 for defendant's arraignment on the indictment before the Honorable Judge Nandor Vadas. On July 13, 2006, the matter was continued to July 14, 2006 for initial appearance in front of the Honorable Susan Illston. On July 14, 2006, the parties appeared in front of the Honorable Susan Illston and the matter was continued to July 28, 2006 for status / trial setting.

2. On July 28, 2006, the parties appeared in front of the Honorable Susan Illston and the matter was continued to September 1, 2006 for status / trial setting.

3. On July 28, 2006, Assistant Federal Public Defender Ronald Tyler, who represents the defendant, requested an exclusion of time from July 28, 2006 to September 1, 2006, based on effective preparation and continuity of counsel. The parties moved that this same time period be excluded from the calculation of time under the Speedy Trial Act.

4. In light of the foregoing facts, the failure to grant the requested exclusion would unreasonably deny counsel for the defense the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(A), (B)(iv). The ends of justice would be served by the Court excluding the proposed time period. These ends outweigh the best interest of the public and the defendant in a speedy trial. See id. § 3161(h)(8)(A).

5. For the reasons stated, the time period from July 28, 2006 through September 1, 2006 shall be excluded from the calculation of time under the Speedy Trial Act.

IT IS SO STIPULATED.

DATED: August 1, 2006

Respectfully Submitted,


/S/
NAHLA RAJAN
Special Assistant United States Attorney

DATED: August 15, 2006

/S/
RONALD TYLER
Counsel for Omar Ward

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____


THE HONORABLE SUSAN ILLSTON
United States District Judge